Serial Number: 10/741,808

Filing Date: December 19, 2003

Title: METHOD AND APPARATUS FOR PRODUCING ANIMATION

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#### **REMARKS**

No claims are amended, claims 1-5 and 16-20 claims are canceled, and no claims are added; as a result, claims 6-15 are now pending in this application.

### Allowable Subject Matter

Claims 6-15 were allowed. Applicants respectfully acknowledge the allowance of claims 6-15.

### §103 Rejection of the Claims

Claims 1-3, 5, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deering (U.S. 6,956,576) in view of Lengyel ("Rendering with Coherent Layers") in further view of Becker (U.S. 6,392,675) and Morgan (U.S. 6,756,989).

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Deering (U.S. 6,956,576) in view of Lengyel ("Rendering with Coherent Layers") and Becker (U.S. 6,392,675) in further view of Morgan (U.S. 6,756,989) and Kato (U.S. 5,999,185).

Claims 17-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deering (U.S. 6,956,576) in view of Lengyel ("Rendering with Coherent Layers") and Becker (U.S. 6,392,675) in further view of Morgan (U.S. 6,756,989) and Kawahara (2005/0204306).

Claims 1-5 and 16-20 are canceled, so any rejections of these claims are moot.

Applicants do not admit or agree that canceled claims 1-5 and 16-20 are obvious in view of the proposed combinations of documents, or any other documents or proposed combination of documents of record, used in forming the 35 U.S.C. § 103(a) rejections of these claims.

Claims 1-5 and 16-20 have been canceled solely to advance the prosecution of the present application, and without prejudice to their further prosecution in an appropriately filed continuing or divisional application.

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### Reservation of Rights

In the interest of clarity and brevity, Applicants may not have addressed every assertion made in the Office Action. Applicants' silence regarding any such assertion does not constitute any admission or acquiescence. Applicants reserve all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicants do not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicants timely object to such reliance on Official Notice, and reserve all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicants reserve all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

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## **CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 612-371-2132 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Reg. No. 57,521

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexendria, VA 22313-1450 on this 29th day of October 2007.

Name

Signature